



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Linda H. MALKAS et al

Conf. No.: 5889

Appln. No.: 10/083,576

Group Art Unit: 1645

Filed: February 27, 2002

Examiner: Unknown

For: METHOD FOR PURIFYING CANCER-SPECIFIC
PROLIFERATING NUCLEAR ANTIGEN

PETITION UNDER 37 C.F.R. § 1.47(b)

ATTN: BOX MISSING PARTS

Commissioner for Patents
Washington, D.C. 20231

Sir:

The University of Maryland, Baltimore hereby Petitions, pursuant to 37 C.F.R. § 1.47(b), to be permitted to proceed with prosecution of the above-identified application absent the signature of one of the joint inventors, i.e., Dr. Pamela E. Bechtel, who refuses to execute the Declaration and Power of Attorney for the above-identified application and/or can not be found or reached after diligent effort. The grounds for this Petition are set forth below and are supported by the accompanying documentary evidence (Declaration of David L. Marks and Dawn M. Brosius).

REMARKS

As explained in the attached Declaration of David L. Marks and Dawn M. Brosius, Mr. Marks and Ms. Brosius (both of the University of Maryland, Baltimore, an assignee of the above-identified application), repeatedly attempted to contact

Mark for signature on the Declaration and Power of Attorney for the above-identified application. However, all of the

obtain her signature on the Declaration and Power of Attorney were unsuccessful. Dr. Bechtel never responded to any of the letters, telephone calls or voice mails. Dr. Bechtel's failure to return their telephone calls and respond to their letters and emails is believed to be because she is refusing to sign the Declaration and Power of Attorney. In any event, it is apparent from the attached Declaration that the University has diligently tried to find or reach Dr. Bechtel without success. As all of the remaining co-inventors have executed the Declaration and Power of Attorney, this action is necessary to preserve the rights of the remaining co-inventors and the University and to prevent irreparable damage to the University, because the technology disclosed and claimed in the above-identified application has already licensed out to a third party.

Submitted concurrently herewith is the Declaration and Power of Attorney which has been executed by the remaining inventors, i.e., Linda H. Malkas, Robert J. Hickey, Lauren Schnaper, Min Park, Derek J. Hoelz and Dragana Tomic.

The last known address of each of the inventors is shown on the attached Declaration and Power of Attorney.

A check for the Petition fee of \$130.00 under 37 C.F.R. §1.17 is attached.

The Assistant Commissioner is hereby authorized to charge any underpayment or credit any overpayment to Deposit Account No 19-4880. A duplicate copy of this paper is attached.

Favorable consideration is respectfully requested.

Respectfully submitted,

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